IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

Bail Appl..No. 5488 of 2007()

CMP.3616/2007 of J.M.F.C., NADAPURAM
CRIME NO.243/2007 OF KUTTIADY POLICE STATION.

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PETITIONER/ACCUSED:

E.C. BALAN, S/O. KELAPPAN,
AGED 54 YEARS, EDAPPALLY CHIRAYIL HOUSE,
KUNNUMMEL VILLAGE, PATHIRAPATTA, KOZHIKODE DIST.

BY ADV. SRI.P.SANJAY
SRI.A.PARVATHI MENON

RESPONDENT/RESPONDENT:

STATE OF KERALA,
REP. BY STATION HOUSE OFFICER, KITTIADY,
REP. BY THE PUBLIC PROSECUTOR,HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5488 of 2007

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Dated this the 11th day of September, 2007

O R D E R

Application for regular bail. The petitioner faces allegations for offences punishable, inter alia, under section 195A, 452 and 354 I.P.C. The crux of the allegations against the petitioner is that he trespassed into the kitchen of the defacto complainant and indecently assaulted her. He did so with an intention to threaten and intimidate the defacto complainant against deposing in certain prosecutions which are pending against him. The alleged incident occurred on 11.8.2007. The petitioner was arrested on 12.8.2007. He continues in custody from that date. Though initially there was an allegation under Section 308 I.P.C. also, the said section has now been deleted, submits the Prosecutor.

2. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer on all Mondays between 10 a.m. and 12 noon until further orders.

(c) The petitioner shall not enter the Sessions Division of Kozhikode, except for the purpose of complying with condition No.(b) above, until further orders.

(R. BASANT)
Judge

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